

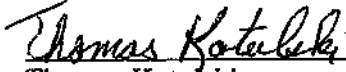
DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs, NCO 12, 695 Medical Center
Department of Veterans Affairs, Great Lakes Acquisition Center, 115 South 84th Street, Milwaukee,
WI 53214
2. **Nature and/or Description of the Action Being Processed:** There is an immediate need for air duct cleaning services at Edward Hines Jr. VAMC and the Joliet Community Based Outreach Clinic (CBOC). Due to the recent opening of the new clinic in Joliet IL and substantial number of construction projects that have occurred over the last year, the Government requires additional time to ensure that requirements are up to date. In order to continue providing these critical services, a sole source contract of six months is proposed to enable acquisitions time to obtain a legally sufficient solicitation package and conduct a properly competed acquisition.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Edward Hines Jr VAMC has an immediate and vital need for an air duct cleaning services contract vehicle in order to maintain health care operations. The contractor shall provide all necessary labor, supervision, materials and equipment to conduct Air Change (ACH) Test and clean the central fan systems, associated duct work systems and other mechanical systems and equipment located within the 26 buildings at the VA Hospital, Hines, IL and the one building at Joliet CBOC, Joliet IL. All work performed will be in accordance with the Industry and Conformance Standards, manufacturer's recommendations and applicable safety regulations. The cost of these services is estimated at \$23,250.00 per month, based on historical data. The total contract value for 6 months of service is \$138,500.00.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** National Air Duct Maintenance Corporation has been the current provider of similar services under contract since 2008. Edward Hines VA Hospital is one of the largest VA campuses in the country. Air duct cleaning and related services are necessary to maintain proper air quality and prevent the risk of fire, both of which are necessary for patient safety. The nature of the service requires a contractor with experience in not only providing the service but of the facility as well. In order to conduct a proper competitive acquisition, a current and accurate statement of work is imperative. A sources sought notice will be posted by April 10, 2013 and any interested vendors should respond in order to determine the acquisition strategy that provides the best overall value to the Government. The VA will need approximately 6 months to properly solicit and compete the air duct cleaning services and allow for the successful conversion to a new contract. To prevent disruption of the current service, a

short-term sole source to the incumbent National Air Duct Maintenance Corp. is required until a long-term contract is put into place, pursuant to acquisition regulations. National Air Duct Maintenance Corp is a verified Veteran Owned Small Business in accordance with Public Law (P.L.) 109-461. National Air Duct Maintenance meets or exceeds all the minimum requirements for equipment, personnel qualifications and training, and as the incumbent, is familiar with the existing service level and current facilities.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** It is anticipated that a long-term contract will be competed for these services within the next several months to allow adequate transition time and mitigate any disruption of service. A sources sought notice will be released by April 10, 2013 and the GLAC will post the solicitation on www.FBO.gov to ensure competition is obtained.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The contractor the Government intends to solicit is the incumbent contractor for the same service provided to Hines VA Hospital. The former contract was awarded based on competitive pricing and determined fair and reasonable. The requirements have not significantly changed from previous contracts and therefore an adequate price comparison is expected utilizing historical pricing and comparison to other facilities. Also, contracting with the incumbent is the only means for maintaining continuity of services at a reasonable price. A preliminary check with the contractor was done and the contractor committed to continued pricing – the same pricing already determined fair and reasonable in 2008.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research has indicated that other providers may be able to meet this requirement but would require a minimum of a month to transition. Further market research will be required to confirm if this will be conducted as an open market acquisition or whether a set-aside procurement is appropriate. Contractors are encouraged to respond to the sources sought notice or contact the contracting office to express interest in this procurement.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** The contracting office contacted the incumbent contractor to determine if they'd be interested in continuing services on a limited basis while a competitive procurement was conducted and they confirmed that they would be interested.
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** The NCO 12 intends to conduct a competitive procurement for a firm-fixed price contract for air duct cleaning services within the next 6 months.
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance,

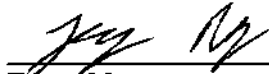
which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Thomas Kotufski
HVAC Shop Supervisor
Edward Hines Jr VAMC

04-04-2013
Date

13. Approvals in accordance with FAR 6.304

- a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.


Trong Nguyen
Contracting Officer
Network Contracting Office 12, Great Lakes Acquisition Center

4-9-13
Date

- b. **Supervisor:** I certify the justification meets requirements for other than full and open competition.


Bryan Boland
Manager, Services Team
Network Contracting Office 12, Great Lakes Acquisition Center

4/9/13
Date